

FILED FEB 09 2009 USDC OR

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JAMES HORROD,
Plaintiff,
Civ. No. 06-6260-CL

v.

MICHAEL J. ASTRUE,
Commissioner, Social Security,
Defendant.

ORDER

PANNER, District Judge:

Magistrate Judge Mark Clarke filed a Report and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Petitioner has filed objections. I have reviewed the file of this case de novo. 28 U.S.C. § 636(b)(1)(C); McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F. 2d 1309, 1313 (9th Cir. 1981).

I find no error. Accordingly, I ADOPT the Report and Recommendation of Magistrate Judge Clarke.

Plaintiff moves for disclosure of evidence concerning the

Social Security Administration's investigation of his business, and the interview with the anonymous informant who claimed that plaintiff was earning more money than he reported. This court's review of the Commissioner's decision is generally limited to the administrative record. See 42 U.S.C. § 405(g); Grant v. Shalala, 989 F.2d 1332, 1344 (3d Cir. 1993) (Alito, J.) (§ 405(g)'s "restriction of district court fact-finding is not an empty technical requirement but instead serves a vital role in safeguarding the integrity of the administrative process"). Here, plaintiff has not shown good cause to allow discovery of evidence outside the administrative record.

CONCLUSION

Magistrate Judge Clarke's Report and Recommendation (#40) is adopted. The Commissioner's decision is affirmed. Plaintiff's motion for disclosure (#42) is denied.

IT IS SO ORDERED.

DATED this 9 day of February, 2009.



OWEN M. PANNER
U.S. DISTRICT JUDGE